

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re the Application of:

ETTER

Serial No.: 10/717,429

Filed: November 19, 2003

Confirmation No.: 7009

Atty. File No.: 42830-10009

For: "PARTICULATE DRUG-
CONTAINING PRODUCTS AND
METHOD OF MANUFACTURE"

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

) Group Art Unit: 1614

) Examiner: Unknown

) SUBMISSION OF MISSING PARTS

<p style="text-align: center;">CERTIFICATE OF MAILING</p> <p>I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED TO COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450 ON <u>4/19/04</u>.</p> <p style="text-align: center;">MARSH FISCHMANN & BREYFOGLE LLP</p> <p>BY: <u>[Signature]</u> DAXMARA SANCHEZ</p>
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Dear Sir:

This communication is responsive to a Notice To File Missing Parts Of Non-Provisional Application dated February 18, 2004. A copy of the notice is enclosed.

The Notice indicates that the statutory basic filing fee is missing. Enclosed herewith is a check in the amount of \$450.00 for payment of the statutory basic filing fee of \$385.00 under 37 C.F.R. § 1.16(a) and a late filing surcharge of \$65.00 under 37 C.F.R. § 1.16(e), based on small entity status, which is asserted.

Also enclosed is a Second Preliminary Amendment presenting amendments to the claims for entry prior to examination of the application. A check in the amount of \$63.00 is enclosed for excess claim fees under 37 C.F.R. § 1.16(c) resulting from the amendments.

It is believed that no additional fees are due with this communication. If, however, any additional fees are due, please debit such fees to Deposit Account No. 50-1419. Credit any overpayments to Deposit Account No. 50-1419.

AMENDMENT TRANSMITTAL LETTER (Small Entity)Applicant(s): **ETTER**

Docket No.

42830-10009

Serial No.

10/717,429

Filing Date

November 19, 2003

Examiner

Unknown

Group Art Unit

1614Invention: **PARTICULATE DRUG-CONTAINING PRODUCTS AND METHOD OF MANUFACTURE"****APR 23 2004****PATENT & TRADEMARK OFFICE****TO THE COMMISSIONER FOR PATENTS:**

Transmitted herewith is an amendment in the above-identified application.

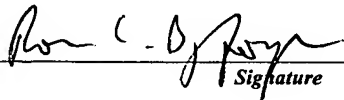
- ☐ Small Entity status of this application has been established under 37 CFR 1.27 by a verified statement previously submitted.
- ☐ A verified statement to establish Small Entity status under 37 CFR 1.27 is enclosed.

The fee has been calculated and is transmitted as shown below.

CLAIMS AS AMENDED

	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST # PREV. PAID FOR	NUMBER EXTRA CLAIMS PRESENT	RATE	ADDITIONAL FEE
TOTAL CLAIMS	27 -	20 =	7 x	\$9.00	\$63.00
INDEP. CLAIMS	2 -	3 =	0 x	\$43.00	\$0.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT					\$63.00

- ☐ No additional fee is required for amendment.
- ☐ Please charge Deposit Account No. _____ in the amount of _____
- ☒ A check in the amount of **\$63.00** to cover the filing fee is enclosed.
- ☒ The Director is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. **50-1419**
- ☒ Any additional filing fees required under 37 C.F.R. 1.16.
- ☐ Any patent application processing fees under 37 CFR 1.17.


SignatureDated: **April 19, 2004**

Ross E. Breyfogle, Esq.
Reg. No. 36,759
MARSH FISCHMANN & BREYFOGLE LLP
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I certify that this document and fee is being deposited on **4/19/04** with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.


Signature of Person Mailing Correspondence**Daxmara Sanchez**


Typed or Printed Name of Person Mailing Correspondence

cc:

If filing of this communication requires an extension of time under 37 C.F.R. § 1.136(a), then please consider this communication as including a petition for such extension of time and debit any required extension fee under 37 C.F.R. Section 1.17 to Deposit Account No. 50-1419. It is believed, however, that no such extension is required.

Respectfully submitted,

MARSH FISCHMANN & BREYFOGLE, LLP

By: 

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Date: April 19, 2004